

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THOMAS L. SANDERSON,
an individual,

Plaintiff,

vs.

ANDREW BAILEY, in his official
capacity as Attorney General of the State
of Missouri; and JAMES HUDANICK,
in his official capacity as Chief of Police
of the city of Hazelwood, Missouri

Defendants.

Civil Action:

Case No. 4:23-cv-01242-SPM

**JUDICIAL CONSIDERATION
RESPECTFULLY REQUESTED
PRIOR TO OCTOBER 31, 2023**

NOTICE OF MOTION AND MOTION FOR

ISSUANCE OF TEMPORARY RESTRAINING ORDER

TO THE COURT AND ALL PARTIES OF RECORD: PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 65 and this Court's Local Rules, Plaintiff Thomas L. Sanderson will and hereby does move for a Temporary Restraining Order (TRO) enjoining enforcement of Missouri Revised Statute section 589.426(1)(3) (the "Statute") on the ground that the Statute compels speech in violation of the First Amendment to the United States Constitution.

Judicial consideration of this Motion is respectfully requested prior to October 31, 2023, since the Statute applies only on that date (Halloween), and an order issued on or after October 31, 2023 would defeat relief. Plaintiff **does not** request oral argument on this Motion unless ordered by the Court.

This Motion will be based upon the Memorandum of Points and Authorities attached hereto, the Complaint filed in this action on October 3, 2023 and exhibits thereto (Doc. # 1), as well as upon any other evidence and argument that the Court may entertain.

Notice of this motion was provided as required by the Federal Rules of Civil Procedure by sending it via Federal Express on October 11, 2023 via overnight delivery to:

DEFENDANT ANDREW BAILEY
ATTORNEY GENERAL OF MISSOURI
Attorney General's Office
815 Olive Street, Suite 200
St. Louis, MO 63101

DEFENDANT JAMES HUDANICK, CHIEF OF POLICE
Hazelwood Police Department
415 Elm Grove Lane
Hazelwood, MO 63042

Dated: October 11, 2023

/s/ Janice M. Bellucci
Janice Madelyn Bellucci #108911 (CA)
Admitted Pro Hac Vice
Law Office of Janice M. Bellucci
2110 K Street
Sacramento, CA 95816
Telephone: (805) 896-7854
Email: jmbellucci@aol.com

Dated: October 11, 2023

/s/ Matthew David Fry
Matthew David Fry #57845 (MO)
Attorney for Plaintiff
Rosenblum, Schwartz, Fry & Johnson
120 S. Central Ave., Ste. 130
St. Louis, Missouri 63105
Telephone: (314) 862-4332
Email: mfry@rsfjlaw.com